

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|---------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, |) | Case No.: 1:08 CR 76 |
| |) | |
| Plaintiff |) | JUDGE SOLOMON OLIVER, JR. |
| |) | |
| v. |) | |
| |) | |
| KIMBERLY RADFORD, |) | |
| |) | |
| Defendant |) | <u>ORDER</u> |

On October 13, 2016, the above-captioned case was referred to Magistrate Judge George J. Limbert to conduct the appropriate proceedings, except for sentencing, and to prepare a Report and Recommendation regarding the violation report submitted to the court.

On that same date, the Defendant, represented by Assistant Federal Public Defender Timothy C. Ivey, appeared before Magistrate Judge Limbert for a violation hearing. The Defendant admitted to the violations as charged in the report dated October 13, 2016; to wit, 1) Unauthorized Use of Drugs; and 2) Failure to Pay Restitution. Magistrate Judge Limbert issued a Report and Recommendation to this court finding that the Defendant has violated the terms and conditions of her Supervised Release. On October 18, 2016, Defendant appeared before Magistrate Judge Limbert for a detention hearing and was ordered detained by Magistrate Judge Limbert pending sentencing before Judge Oliver on October 25, 2016, at 10:00 a.m. At the detention hearing, counsel for both parties waived the required 14-day requirement to file

objections to the Report and Recommendation.

The court held a sentencing hearing on October 25, 2016, has reviewed the Magistrate's Report and Recommendation and finds that it is well-supported. The Defendant has admitted to the violations as charged in the October 13, 2016 violation report. As a result, the court finds that the Defendant has violated the terms of her Supervised Release.

The court has considered the factors for sentencing listed in 18 U.S.C. § 3553(a) on the open record and hereby adopts the Magistrate's Report and Recommendation (ECF No. 27.) Based on this court's review of all relevant factors, the court hereby orders that the Defendant remain on Supervised Release with the same terms and conditions as previously ordered and the additional condition of 90 days' confinement at Community Confinement Center. Defendant shall be released from custody one day prior to her placement at the Community Confinement Center in order for her to get her affairs in order. Defendant was advised of her right to appeal.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
CHIEF JUDGE
UNITED STATES DISTRICT COURT

October 25, 2016